



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

AKERMAN SENTERFITT
P.O. BOX 3188
WEST PALM BEACH FL 33402-3188

COPY MAILED

AUG 03 2007

OFFICE OF PETITIONS

Applicant: FILLIPPI et al.
Appl. No.: 10/531,189
International Filing Date: September 8, 2003
Title: METHOD TO CARRY OUT STRONGLY EXOTHERMIC OXIDIZING REACTIONS
IN PSEUDO-ISOTHERMAL CONDITIONS.
Attorney Docket No.: 9526-52
Pub. No.: US 2006/0140844 A1
Pub. Date: June 29, 2006

This is a decision on the request for a corrected patent application publication under 37 CFR 1.221(b), received on August 2, 2006, for the above-identified application.

The request is DISMISSED.

Applicant requests that the application be republished because the patent application publication contains a material error whereby the name of the fourth inventor was omitted from the publication.

37 CFR 1.221 (b) is applicable “only **when the Office makes a material mistake which is apparent from Office records**.... Any request for a corrected publication or revised patent application publication other than provided as provided in paragraph (a) of this section must be filed within two months from the date of the patent application publication. This period is not extendable.” A material mistake must affect the public’s ability to appreciate the technical disclosure of the patent application publication, to determine the scope of the patent application publication, or to determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent.

The error on the front page of the publication in the omission of the fourth inventor’s name may be an Office error, but it is not a material Office error under 37 CFR 1.221. The omission of the inventor’s name on the front page of the publication does not affect the understanding of the application. The mistake does not affect the public’s ability to appreciate the technical disclosure of the patent application publication, or determine the scope of the patent application publication or determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent.

¹Changes to Implement Eighteen-Month Publication of Patent Applications, 65 FR 57023, 57038 (Sept. 20, 2000), 1239, Off. Gaz. Pat. Office Notices 63, 75 (Oct. 10, 2000) (final rule).

On March 14, 2006, a Filing Receipt was mailed by the Office, which omitted the inventor's name. To avoid this type of problem in the future, applicant's representative should make request a corrected filing receipt.

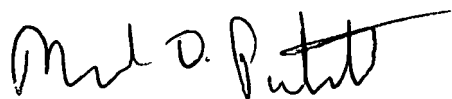
The applicant is advised that a "request for republication of an application previously published" may be filed under 37 CFR 1.221(a). Such a request for republication "must include a copy of the application compliance with the Office's electronic filing system requirements and be accompanied by the publication fee set forth in § 1.18 (d) and the processing fee set forth in § 1.17 (i)." If the request for republication does not comply with the electronic filing system requirements, the republication will not take place and the publication fee set forth in § 1.18 (d) will be refunded. The processing fee will be retained.

Any request for republication under 37 CFR 1.221(a), must be submitted via the EFS system and questions or request for reconsideration of the decision, should be addressed as follows:

By mail to: Mail Stop PGPUB
Commissioner for Patents
P.O. Box 1450
Alexandria, Va. 22313-1450

By facsimile: 571-273-8300

Inquiries relating to this matter may be directed to Mark Polutta at (571) 272-7709.



Mark Polutta
Senior Legal Advisor
Office of Patent Legal Administration
Office of the Deputy Commissioner
for Patent Examination Policy